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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,849	03/11/2004	Murali Aravamudan	112130 CON-1	6684

7590

03/10/2006

Mr. S.H. Dworetsky  
AT&T Corp.  
P.O. Box 4110  
Middletown, NJ 07748

EXAMINER
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JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/798,849

Applicant(s)

ARAVAMUDAN ET AL.

Examiner

Frantz B. Jean

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 14-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/11/04</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This office action is in response to application for patent filed 3/11/04. Claims 14-33 are pending in this application.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 3/11/04 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

This application is directed to Collaborative browsing of the Internet.

The prior art to Anupam et al. (hereinafter "Anupam") US patent Number 5,862,330 discloses computer users or collaborators that may utilize different web browsers to access a server system on the Web to create or join a collaborative browsing session (see abstract).

#### ***Claim Objections***

Claim 14 is objected to because of the following informalities: on line 4 of claim 14, after "the method comprising" please insert --the steps of--. Appropriate correction is required.

In claim 14, lines 7-8, the claim recites generating at least one locator message. However, further on line 8 the claim recites each of said locator messages. It is not clear to the examiner as to what message the applicant is referring to.

#### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

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unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim 14 of the "849" application is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 6, and 9 of U.S. Patent No. 6,732,145 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because all the concept and limitations of claim 14 of application "849" are included in the claims of patent "145". Therefore, claim 14 of application "849" is inherent in claims 1, 6 and 9 of US patent "145".

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14 and 17-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Anupam et al. (hereinafter "Anupam") US patent Number 5,862,330.

As per claim 14, Anupam teaches a method for facilitating collaborative viewing by a plurality of collaborators at respective clients in communication with a network of at least one resource available from at least one server computer in communication with a network, the method practiced at a collaboration server in communication with said network (see abstract), the method comprising the steps of:

Receiving from at least one of said clients at least one resource selection message comprising information identifying said at least one resource (multiple users or collaborators are allowed to browse information from websites addressable by their Uniform Resource Locator (URL), see col. 2 lines 30-33); responding to said at least one resource selection message by generating at least one locator message (URL message) addressed to said at least first and second clients, each of said locator messages comprising at least one locator associated with said at least one resource (see col. 3 line 3 to col. 4 line 26); sending said locator messages to said network for delivery to said at least first and second clients (message is sent to each collaborator's computer (i.e client) (see col. 4 col. 4 lines 6-25).

As per claim 17, Anupam teaches hypertext document having an associated URL (see col. 2 lines 19-34; col. 4 lines 30-36).

As per claim 18, Anupam teaches a plurality of documents (collaborative browsing of HTML documents at various websites), the ordered selection of which is

controlled by said at least one resource selection message received from said at least one of said clients (see col. 2 lines 21-34; col. 4 lines 30-36).

As per claim 19, Anupam teaches responding is limited to responding to resource selection messages received from exactly one of said clients (responding to the collaborator that plays the role of a leader or manager col. 2 lines 47-67; col. 4 lines 26-65).

As per claim 20, Anupam teaches a client that is collaboration leader (see col. 4 lines 26-36).

As per claim 21, a new collaboration leader that is designated for subsequent time by a currently received new-leader message received from a current collaboration leader designating said new collaboration leader, said collaboration server responding to said new-leader message by sending a notification message to said network addressed to each of said collaborators to announce the new leader, the one of said notification messages to said new leader including a token empowering said new leader with status as a collaboration leader (this step is inherent/implicit in Anupam when a new leader or new collaborator wants to run a session, the other collaborators or clients or users are alerted of the change; they can choose to join or not to join the session see col. 3 line 15 to col. 4 line 43).

As per claim 22, Anupam teaches the step of resource selection messages may be received from more than one of the clients (Anupam recites that other computer users or collaborators who want to either create a session or join an on-going session

go through the similar process to that of U1 or U2 described above; in other words any client may send resource selection messages see col. 4 lines 44-46).

As per claim 23, Anupam teaches the step where a plurality of documents is identified in the at least one resource selection message (see col. 3 line 58-col. 4 line 26).

As per claim 24, Anupam teaches information identifying a plurality of collaborators to whom a resource locator message is to be sent (see col. 2 lines 50-67; col. 4 lines 6-26).

As per claim 25, Anupam teaches session identification information that identifies plurality of collaborators and authentication information available to the collaboration server relating to each of the plurality of collaborators (see col. 2 lines 47-67).

As per claim 26, Anupam teaches an authentication information that is based on information received from at least one of said clients prior to receipt of a resource selection message associated with a session (see col. 2 lines 48-67).

As per claim 27, the step of resource locator message that is sent to the network for delivery to particular collaborators only after the identity of said particular collaborators have been authenticated (this step is inherent in Anupam at the time of forming the collaborative browsing group and real-time interactive communication. In addition, each would be collaborator or client must be able to identify the leader or creator of the session by the creator's ID in order to join in. In other words, a pre-screen or authentication process was already taken place before allowing collaboration and/or message transmission (see col. 2 lines 62-67).

As per claims 28-29, the same rationale of inherency regarding to claim 27 applied as well for claims 28-29 because addresses and identification of the collaborators must be saved in a storage or database for retrieval when necessary or needed. Without those information there can't be any collaboration or information exchange (see fig 1; col. 2 lines 19-38).

As per claim 30, Anupam teaches locator messages that identify resources that can be viewed at by client using browser software (see col. 2 lines 19-33 and lines 39-46); col. 3 lines 24-32).

As per claims 31, Anupam teaches sending Internet Protocol messages to said network (see fig 1; col. col. 1 lines 15-25; lines 29-37).

As per claim 32, Anupam teaches WWW page comprising information formatted as hypertext protocol information (see fig 1; col. 1 lines 15-20; col. 2 lines 19-27).

As per claim 33, Anupam teaches locator message that is addressed to respective addresses of each of first and second clients (see col. 1 lines 29-40).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam.

As per claim 15, Anupam does not explicitly teach a server and at least one client that are co-located. This feature is well known in the art of computer networking. It would have been apparent to one of ordinary skill in the art at the time of the invention to have a web server and a client co-located for convenience and ease of communication.

As per claim 16, Anupam does not disclose explicitly a server and clients that are resident in the same computer. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a collaboration server and clients that are resident in the same computer for convenience, ease of communication and faster data access.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Antognini et al US patent number (5,649,185) was cited because it contains limitations that are relevant to claims 15-16 regarding server and clients that are co-located or resident in the same computer (see Antognini col. 4 line 64 to col. 5 line 3). Applicant is requested to consider this reference upon responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean



**FRANTZ B. JEAN**  
**PRIMARY EXAMINER**